

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GEORGE PERROT,)	
)	Case No. 18-cv-10147-DPW
<i>Plaintiff,</i>)	
)	Hon. Douglas P. Woodlock
v.)	District Judge
)	
THOMAS KELLY, <i>et al.</i>)	
)	JURY TRIAL DEMANDED
<i>Defendants</i>)	

PLAINTIFF’S MOTION TO REASSIGN CASE

Plaintiff GEORGE PERROT, by his attorneys, hereby respectfully requests that this Court reassign this matter to a different judge, as follows:

1. Plaintiff George Perrot was wrongfully convicted of a 1985 home invasion and sexual assault of an elderly woman in Springfield, Massachusetts, crimes of which he is innocent. He served 30 years in prison before his conviction was finally overturned. He has brought claims against the City of Springfield and several current and former members of the Springfield Police Department who he contends are responsible for participating in an effort to fabricate evidence, withhold exculpatory evidence, and ultimately frame him. Dckt. No. 126.
2. Plaintiff spent more than 30 years in the state court system, and this case has been pending before this Court since 2018. Plaintiff has a justified desire to bring this matter to a resolution.
3. Despite Plaintiff’s desire to resolve this matter expeditiously, this case has sat dormant for more than three years pending dispositions of various motions to dismiss.
4. With those motions pending, Defendants had proposed a discovery stay in 2019, to which Plaintiff assented. This motion remains pending along with the motions to dismiss.

5. Defendants have indicated that they would not agree to Plaintiff's efforts to pursue discovery while the motions to dismiss remain pending.

6. Plaintiff has been seeking a status conference with the court for over one and a half years so that action can be taken to resume litigation in this case. Dckt. Nos. 174, 179, 180.

7. Plaintiff does not know why there has been no activity in this matter for over three years but presumes that the Court has a backlog of cases. He, therefore, respectfully asks that the case be reassigned to a different judge so that the matter can proceed expeditiously.

Procedural History

8. When this case was initiated, the parties engaged in discovery before agreeing, on the Plaintiff's motion, to try to settle this matter. Dckt. Nos. 112 & 113. Unfortunately, that process was unsuccessful, and the parties continued litigating. Dckt. No. 124.

9. In May 2019, Plaintiff filed an Amended Complaint, and the Defendants responded by filings motions to dismiss in the summer 2019. Dckt. No. 126.

10. The United States and Defendant Wayne Oakes filed motions to dismiss (Dckt. Nos. 144 and 145) which this Court granted during a hearing on September 4, 2019. Dckt. No. 168.

11. The various Springfield Defendants also filed motions to dismiss. Dckt. No. 137, 140, 142, 146. The Court heard argument on, but did not rule on these motions during the September 4, 2019 motion hearing.

12. Instead, the Court ordered Plaintiff to provide an additional response on aspects of his individual liability arguments, which Plaintiff did. Dckt. Nos. 168 and 169.

13. Thereafter, the remaining Defendants filed a motion to stay discovery with the Court, contending that discovery should pause until the Court ruled on the pending motions to

dismiss. Dckt. No. 172. Plaintiff, in good faith and understanding Defendants would need a ruling on those motions to understand the scope of discovery that remained, assented to this motion. *Id.* at 2. The motion to stay remains pending without resolution.

14. Plaintiff's counsel advised Defendants' counsel of his intent to seek this relief, and no Defendant has assented to the relief requested here.

WHEREFORE, Plaintiff respectfully that the Court reassign this matter to another judge.

RESPECTFULLY SUBMITTED,

GEORGE PERROT

/s/ Mark Loevy-Reyes
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Mark Loevy-Reyes, an attorney, hereby certify that on November 3, 2022, I filed Plaintiff's Motion to Reassign Case using the Court's CM/ECF system, which effected service on all counsel of record.

/s/ Mark Loevy-Reyes
One of Plaintiff's Attorneys